

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

GEORGIA STATE CONFERENCE OF THE)
NAACP, as an organization; GEORGIA)
COALITION FOR THE PEOPLES' AGENDA, as)
an organization; SANQUAN THOMAS,)
MERRITT HUBERT, TAURUS HUBERT,)
JOHNNY THORNTON, MARTEE FLOURNOY)
and LARRY WEBB;)

Plaintiffs,)

v.)

HANCOCK COUNTY BOARD OF ELECTIONS)
AND REGISTRATION; KATHY RANSOM,)
NANCY STEPHENS, LINDA CLAYTON,)
ROBERT INGRAM, and JIM YOUMANS, in their)
official capacities as members of the Hancock)
County Board of Elections and Registration; and)
TIFFANY MEDLOCK, in her official capacity as)
the Hancock County Elections Supervisor,)

Defendants.)
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Civil Action
Case No. 5:15-cv-414-CAR

PLAINTIFFS' STATUS REPORT

(Telephone Conference with the
Court: February 24, 2016 at 11 a.m.)

PLAINTIFFS' STATUS REPORT

INTRODUCTION

This report summarizes the events that have occurred in the litigation since the last status conference on February 16, 2016, and in preparation for the next status conference to be held on February 24, 2016 at 11:00 a.m. The upcoming status conference will be the fifth in a series held by this Court since January 21, 2016. Each of these status conferences have focused primarily

upon the Court's January 21st Order that "Defendant ... put purged voters who are authorized to be back on the registration list." [Doc. 28].

Plaintiffs' counsel have made diligent efforts to locate the purged voters who are still eligible to vote in Hancock County so that they could be restored to the voter registration rolls in time for the March 1, 2016 presidential preference primary and Sparta special mayoral elections. As of the January 16, 2016 status conference, it was the understanding of Plaintiffs' counsel that Defendants have now restored 15 of the 53 purged voters to the voter registration rolls.

Two of the 53 purged voters, Emma Johnson and Daphne Heath, died before Defendants took action to restore them to the voter rolls. Ms. Johnson passed away on February 14, 2016 – after the Court's January 21st Order and while early voting was underway for the presidential primary and Sparta special mayoral elections. Ms. Heath passed away on October 30, 2015, during the early voting period for the Sparta municipal election on November 3, 2015. The deaths of these voters, coupled with the upcoming elections, highlights the need for a prompt restoration of the remaining, wrongfully purged voters to the voter registration rolls so that eligible voters are not disenfranchised.

CURRENT STATUS

Since the January 16th Status Conference, Plaintiffs' counsel have continued their efforts to identify and locate purged voters to determine whether they are still eligible to vote in Hancock County. Based upon currently available evidence, the following is a tally of the current status of the 53 purged voters:

Voters who are currently eligible to vote in Hancock County: 17

(Sierra Battle, Virginia Battle, Johnathan Clayton, Samuel Clayton, Tarneshia Cobbs, Jarlessia Heath, Jimmy Johnson, Natasha Deanna Jones, Troy Latimore, Keith Leslie, Nelson Mitchell, Alice Scott, Moriah Speights, Sanquan Thomas, Johnny Thornton, Quintina Walker and Sherrod Williams).

Voters still under investigation: 8

(Danita Ann Bates, Shanta Bly, Vendal Gilbert, Brian Glover, Brandon Littleton, Carl Lott, Jr., Twaniqua Shivers, James Tucker)

**Voters who were eligible to vote in Hancock County, but died before they
Were restored to the voter registration list: 2**

(Daphne Heath and Emma Johnson)

**Balance of purged voters whom Plaintiffs concede may no longer be eligible to vote
in Hancock County: 26**

Plaintiffs' counsel located Natasha Deanna Jones on February 23, 2016. Ms. Jones was unaware that she had been purged from the Hancock County voter registration rolls. She was planning to vote in the presidential primary election on March 1, 2016.

Ms. Jones first registered to vote in Hancock County in 2014 and her birth year matches the Enet record for the Natasha Deanna Jones who was purged from the rolls by the Defendants. When Ms. Jones registered to vote in 2014, she was residing at 194 Brotherhood Rd., Sparta, Georgia. Approximately six months ago, Ms. Jones advised Plaintiffs' counsel that she moved to 1556 Old Eatonton Rd., Sparta, Georgia (Hancock County). Ms. Jones confirmed to Plaintiffs' counsel that she had never resided outside of Hancock County since she registered to vote in the County in 2014. Plaintiffs' counsel apprised Defendants' counsel of these facts and provided them with a handwritten statement by Ms. Jones that confirms her former and current addresses. Plaintiffs' counsel have requested that Defendants restore Ms. Jones to the voter rolls immediately so that she can cast a regular ballot in the presidential primary election on March 1, 2016.

Plaintiffs counsel reiterate that pursuant to the Court's January 21, 2016 Order, Defendants should restore purged voter, Plaintiff Johnny Thornton, to the voter registration list

because he is eligible to vote in Hancock County. Attached as Exhibit 1 is a declaration by Plaintiff Thornton that sets forth the facts showing that he is eligible to vote in Hancock County.

Based upon current information, Plaintiffs' counsel will concede that they lack sufficient evidence establishing that the following purged voters are currently eligible to be restored to the Hancock County voter registration list:

Darrick Barnes

Glen Ingram

Patrick Warren

Alicia Jordan, and

Brandon Thomas.

Plaintiffs' counsel have retained the services of an investigator to assist in locating additional purged voters who are still under investigation as to their eligibility to vote. The efforts to locate the voters identified as "under investigation" above are ongoing.

Plaintiffs' counsel also drafted a proposed advertisement to run in the Sparta Ishmaelite newspaper to assist in locating the purged voters in order to determine their eligibility. A copy of the proposed advertisement is attached hereto as Exhibit 2.

Prior to running the ad, Plaintiffs' counsel submitted the draft to Defendants' counsel to inquire whether they had any objections to running it. A copy of Ms. Grant's email in response to this inquiry is attached as Exhibit 3. Plaintiffs' counsel do not agree with Ms. Grant's assertions about the advertisement in her email and respectfully seek the Court's guidance as to whether the language of the advertisement should be modified before it is placed in the newspaper.

CONCLUSION

Based upon the foregoing, Plaintiffs' counsel respectfully submit that eligible, purged voter, Natasha Deanna Jones, should be restored to the Hancock County voter registration list immediately pursuant to the Court's January 21, 2016 Order so that she can cast a ballot in the presidential primary election on March 1.

Plaintiffs also respectfully submit that eligible, purged voter, Plaintiff Johnny Thornton, should be restored to the voter registration list immediately so that he can cast a ballot in the presidential primary election on March 1 pursuant to the Court's January 21, 2016 Order.

Finally, with respect to the eight (8) purged voters that Plaintiffs have not yet been able to locate, Plaintiffs submit that Defendants should restore these voters to the Hancock County voter registration list in inactive status. This will require the voters to show identification and update their current addresses when they request a ballot. If they establish that they are still eligible to vote in Hancock County, they should be permitted to vote. If they cannot establish they are eligible to vote in Hancock County, their registration should be transferred to the appropriate county where they are residing. Alternatively, if the inactive voters fail to update their address information or request a ballot for two federal election cycles, the Defendants could then remove them from the rolls pursuant to the lawful processes set forth in the NVRA. This remedy will prevent persons not eligible to vote from voting, while respecting the right of voters still eligible to vote to cast a ballot.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I caused the foregoing **PLAINTIFFS' STATUS REPORT** to be electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to the attorneys of record.

This 23rd day of February, 2016.

/s/ Julie M. Houk
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